

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

VICTOR MANUEL RODRIGUEZ,

Plaintiff,
v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

COUNSEL:

PLEASE TAKE NOTICE that upon the annexed affirmation of Howard D. Olinsky, attorney for Plaintiff, and other papers, Plaintiff will make a motion before the Court on a date to be set by the court, for an order:

1. Awarding an Equal Access to Justice Act Counsel Fee in the amount of \$2,175.81; and
2. If Plaintiff has no debt registered with the Department of Treasury subject to offset that the fees be made payable to the attorney.

Plaintiff's attorney, Howard D. Olinsky, moves the court for an award to be paid by Defendant under the Equal Access to Justice Act, 28 U.S.C. § 2412.

There are no special circumstances in this case which make an award under the EAJA unjust.

This motion is supported by an affirmation of Plaintiff's attorney, attached time and cost records, and a Waiver of Direct Payment by Plaintiff.

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| USDC SDNY |
| DOCUMENT |
| ELECTRONICALLY FILED |
| DOC #: _____ |
| DATE FILED: <u>4/27/2022</u> |

1:20-CV-10364-VSB-RWL

**Notice of Motion for Attorney's
Fees Pursuant to the
Equal Access to Justice
Act, 28 U.S.C. § 2412 (West)**

Executed this April 5, 2022.

Respectfully submitted,

/s/Howard D. Olinsky
Howard D. Olinsky, Esq.
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Defendant did not file any opposition to Plaintiff's motion. The Court grants Plaintiff's requests for attorney's fees in the amount of \$2,175.81.

SO ORDERED:



4/27/2022

HON. ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE